

COMMISSIONERS APPROVAL

CHILCOTT

LUND *See*

THOMPSON *at*

TAYLOR (Clerk & Recorder)

Date.....May 25, 2006

Members Present.....Commissioner Greg Chilcott and
Commissioner Alan Thompson

Minutes: Sally Fortino and Glenda Wiles

The Board of County Commissioners met for approval of the WIC grant for Farmers' Market. Judy Griffin, Public Health Nurse, explained some of the key points regarding WIC Farmers' Market. (see attached) Each recipient over one year old gets \$16 in coupons for the summer. The recipient of coupons also receives a list of items qualifying for purchase with coupons. Many people on the program don't generally get the fresh foods available at the Farmers' Market.

Skip Rosenthal, Human Resources Director, explained requirements and uses of the monies set aside for the program. There is little administrative work, with the exception of handing out coupons and some secretarial work.

Commissioner Thompson made a motion for the chairman to sign the Farmers' Market Grant. Commissioner Chilcott seconded the motion. All voted 'aye.'

In other business, the Board of County Commissioners met for approval of the Food Stamp Nutrition Education Support Grant. Rob Johnson, Extension Director, explained the Food Stamp Nutrition Education Support Grant. He said the grant helps educate people in the values of consuming nutritious, fresh foods. The woman administering the program is doing an exceptional job.

Commissioner Thompson made a motion to approve the Food Stamp Nutrition Education Support Grant. Commissioner Chilcott seconded the motion. All voted 'aye'.

Rob asked for Commissioner representation at the interviews of potential new employees. Times and dates were presented and notations made on the Commissioners' Calendar.

In other business the Board met on a Request for Commissioner Action on the Mountain View Orchards, Block 2, Lot 5, AP Minor Subdivision with one variance request.
Minutes are as follows:

Ravalli County Board of County Commissioners (BCC)
Meeting Minutes for May 25, 2006
9:00 a.m.
Commissioners Meeting Room, 215 S. 4th Street, Hamilton, Montana

1. Call to order

Commissioner Chilcott called the meeting to order at 9:05 AM.

2. BCC and Staff

(A) BCC

Greg Chilcott (Present)
Alan Thompson (Present)
Betty Lund (Absent)

(B) Staff

Benjamin Howell

3. Public Meeting

(A) Mountain View Orchards, Block 12, Lot B, AP (Zech) Minor Subdivision with One Variance Request (Second BCC Meeting)

(i) Board action on the Variance Request (for the internal road) and Subdivision Proposal

(a) Review of the Variance Request against the Five Criteria

The Board reviewed the variance against the Five Criteria as follows:

1. *The granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining property owners.*
Both Commissioners agreed, with the specific findings that the road will have a dust palliative applied once prior to final plat and annually thereafter, the 40-foot wide easement will be easier to maintain and control weeds, the neighbors have signed a statement to allow a gravel road, and the emergency access is not limited with a 20-foot wide road.
2. *The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not applicable generally to other property.*
Both Commissioners disagreed.

3. *Physical conditions, such as topography or parcel shape, prevent the applicant from meeting the strict letter of these regulations. These conditions shall not result from the past actions of the land's current or previous owner(s).*
Both Commissioners disagreed.

4. *The variance will not in any manner vary the provision of the zoning regulations or the Growth Policy.*
Both Commissioners agreed, with the specific findings that the property is not within a Zoning District, the dust palliative will mitigate the air quality concerns, the road does not connect to any other property, and the road will end in a cul-de-sac instead of a hammerhead turnaround.

5. *The variance will not cause a substantial increase in public costs.*
Both Commissioners agreed, with the specific findings that the road will have an annual application of dust palliative and will end in a cul-de-sac.

(b) Board Decision

Commissioner Thompson made a motion to **approve** the variance request from Section 5-4-5(b)(2) to allow Coyote Creek Drive to be improved to meet two-lot local road standards with the exception of a 40-foot wide public road and utility easement with a 20-foot wide gravel travel surface, based on amended findings that the neighbors submitted a signed and notarized statement supporting the gravel road, the road only accesses three lots, and the road satisfies the Corvallis Rural Fire District standards, and subject to the conditions that a dust palliative be applied to the road prior to final plat approval, a provision requiring annual application of a dust palliative shall be included in the Road Maintenance Agreement, and with the condition that the road end in a cul-de-sac that meets County Standards.

Commissioner Thompson further moved that the Mountain View Orchards, Block 12, Lot B, AP Minor Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report as amended, and subject to the conditions in the staff report with the following amendments:

1. Remove Condition 7
2. Condition 13 shall state that the access for Lot B3 onto Coyote Creek Drive shall be located between 150 and 250 feet from Sutherland Lane with a no ingress/egress zone located along the remaining frontage of Lot B3.
3. Condition 14 shall state that a dust palliative shall be applied to Coyote Creek Drive once prior to final plat and a provision shall be added to the Road Maintenance

Agreement that there will be annual dust abatement on Coyote Creek Drive.

4. Condition 15 shall state that a conditional 30-foot wide public road and utility easement shall be shown and labeled on the final plat from the end of the cul-de-sac on Lot B5 to the eastern property boundary for beneficial use of the properties to the south and east. A statement shall be included on the final plat that those properties shall be annexed into the Road Maintenance Agreement and they will be responsible for building the road within the conditional easement to meet the County Standards in place at that time.
5. Condition 16 shall state that the applicant will work with the County on an agreement between the Mountain View Orchards, Block 12, Lot B, AP subdivision and the adjoining property owners to the south and east to recover a proportionate share of road improvement costs for Coyote Creek Drive in the event that these properties are subdivided and can meet the conditions necessary to gain access onto Coyote Creek Drive.

Commissioner Chilcott seconded the motions and the Commissioners voted 2-0 to **approve** them.

In other business, the Board of County Commissioners discussed extending the maturity date for the Line of Credit at First Interstate Bank.

Commissioner Thompson made a motion to approve the extension of the maturity date for the \$100,000 Line of Credit with First Interstate Bank. Commissioner Chilcott seconded the motion. All voted 'aye'.

In other business, the Board of County Commissioners met to approve minutes from May 2-May 4, 2006. Commissioner Thompson made a motion to approve minutes from May 2-4, 2006. Commissioner Chilcott seconded the motion. All voted 'aye'.

In other business, the Board of County Commissioners met for release of the Letter of Credit for the Sacks Revocation of Agricultural Covenant. The Planning Department recommended the release.

Commissioner Thompson made a motion to have the chairman sign the release of the Letter of Credit to the bank for Sacks Revocation of Agricultural Covenant. Commissioner Chilcott seconded the motion, and all voted 'aye'.

The Board met with Engineer Mike Jensen and residents of the Joslin Bridge Project. Issues of discussion included:

Stacey of Dorsey and Whitney was placed on conference call. Glenda will wait until next week when the residents decide if they want to move forward with the Resolution of Intent to Proceed with no formal NEPA decision from the Forest Service.